

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

50179-096

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

09/936216

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/AU00/00181	March 10, 2000	March 10, 1999

TITLE OF INVENTION

PLANTS AND FEED BAITS FOR CONTROLLING DAMAGE FROM FEEDING INSECTS

APPLICANT(S) FOR DO/EO/US

DAVID DALL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendment has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information.
International Preliminary Examination Report
International Search Report Prepared by the Australian Patent Office
Seqency Listing



20277

PATENT TRADEMARK OFFICE

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 09/936216	INTERNATIONAL APPLICATION NO. PCT/AU00/00181	ATTORNEY'S DOCKET NUMBER 50179-096										
		CALCULATIONS PTO USE ONLY										
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <table> <tr> <td>Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO</td> <td>\$860.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))</td> <td>\$690.00</td> </tr> <tr> <td>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td>\$710.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)</td> <td>\$1,000.00</td> </tr> <tr> <td></td> <td>\$100.00</td> </tr> </table> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p style="text-align: right;">\$ 1,000.00</p>			Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO	\$860.00	International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	\$690.00	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$1,000.00		\$100.00
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International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$1,000.00											
	\$100.00											
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00										
<input type="checkbox"/> Claims	Number Filed	Number Extra	Rate									
<input checked="" type="checkbox"/> Total Claims	22 -20 =	2	x \$18.00	\$ 36.00								
<input type="checkbox"/> Independent Claims	3 -3 =	0	x \$80.00	\$ 0.00								
<input checked="" type="checkbox"/> Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 0.00								
		TOTAL OF ABOVE CALCULATIONS =		\$ 1,166.00								
<input type="checkbox"/> Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00								
		SUBTOTAL =		\$ 1,166.00								
<input type="checkbox"/> Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+		\$ 0.00								
		TOTAL NATIONAL FEE =		\$ 1,166.00								
<input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+		\$ 0.00								
		TOTAL FEES ENCLOSED =		\$ 1,166.00								
			Amount to be: refunded	\$								
			charged	\$								
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.												
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>1,166.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.												
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.												
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>												
SEND ALL CORRESPONDENCE TO:		<p>SIGNATURE <i>Robert L. Price</i></p> <p>Robert L. Price</p> <p>NAME</p> <p>No. 22,685</p> <p>REGISTRATION NUMBER</p> <p>September 10, 2001</p> <p>DATE</p>										
Robert L. Price McDERMOTT, WILL & EMERY 600 13 th Street, N.W. Washington, DC 20005-3096 (202) 756-8000 Facsimile (202) 756-8087												